

EXHIBIT 1

LIST OF DEPARTURES FROM EXISTING POLICY

- a) Permanent Irreversible Economic Harm.** If the rule of law is not upheld. Investors will soon cease to view the United States as a safe haven for investment, which will permanently deprive Americans of their savings and retirement investment accounts without reasonable hope of recovery or compensation for damages suffered.¹ Already, the value of the dollar is plummeting with no signs of stopping as prices for commodities, including oil, surge.²
- b) Dramatic Departures from Policy Status Quo by Unconstitutional Executive Orders or other policy changes.** “In his first two weeks, President Biden has signed more executive orders than most recent presidents did in their first month. He has signed nearly as many executive orders as Franklin Roosevelt did in his record-breaking first month.”³ These unlawful Executive Orders and other policy reversals by an illegitimate president include such dramatic policy changes as:⁴
 - (1) Reversal in energy policy by: (i) Keystone XL Pipeline permit revoked, (ii) Paris Climate Accords rejoined, (iii) new oil and natural gas leases paused, and (iv) EO on “climate crisis” granting broad power to change other aspects of U.S. energy policy;
 - (2) Reversals in economic policies: (i) collective bargaining power to lay the foundation for a \$15 minimum wage (will gut American small businesses who will not be able afford to hire help), (ii) moratoriums on evictions and foreclosures, (iii) abrogating Trump Adminstration “deregulation” of various aspects of American industry and commerce;
 - (3) Reversals in immigration policy: (i) moratorium on deportation, (ii) discontinuation of the “remain in Mexico” policy, (iii) cessation of the border wall construction, (iv) DACA preserved and fortified, (v) deffered enforced departure for Liberians reinstated,
 - (4) Reversals in national security and foreign policy: (i) anti-terrorism travel ban revoked, (ii) \$4 billion allocated for development in Central

¹ See Complaint, Exhibit 4.

² See, e.g., Tom Westbrook, *FOREX-Dollar pinned near six-week low as focus turns to Powell*, REUTERS (Feb. 23, 2021), available at www.reuters.com; Harry Robertson, *Economist Stephen Roach says the US economy's V-shaped recovery is 'in tatters' and the dollar could crash 20% this year* (Jan. 12, 2021), available at www.msn.com.

³ Tamara Keith, *With 28 Executive Orders Signed, President Biden Is Off To A Record Start*, NPR (Feb. 3, 2021) available at <https://www.npr.org>.

⁴ All of the following can be found summarized in the following sources: (1) Kate Sullivan, *Here are the 30 executive orders and actions Biden signed in his first three days*, CNN (Jan. 24, 2021), available at www.cnn.com; *Infographic: Biden's First Week in Office*, THE EPOCH TIMES (updated Feb. 1, 2021), available at www.theepochtimes.com.

America, (iii) travel bans affecting Europe, Brazil, and South Africa, (iv) reversal of “Mexico City Policy,

(5) Reversals in domestic policy: (i) requiring biological men and boys be allowed to compete against biological women and girls in sports, (ii) policy to push for codification of *Roe v. Wade*, (iii) reversal in racial equity policy, including teaching of controversial “critical race theory” and racial quotas in government (as opposed to decisions based on individual merit), (iv) \$15 federal minimum wage, (v) ban on transgender military service reversed, (vi) Director of National Intelligence tasked with assessing “domestic extremism,” which would include persecution of persons with political views not in keeping with Biden Administration, (vii) Census Bureau required to include illegal immigrants in apportionment of congressional districts, (viii) the “Made in America” policy altering federal procurement from private sector rules, (ix) raising insulin and epinephrine prices by reversing Trump EO that insulin and epinephrine savings be passed on to patients

c) **Permanent destruction of American small business.** Biden’s “Made in America Office” (“MAO”) will require federal agencies to buy from American businesses linked to inefficient and unsustainable solar and wind energy and imposes formations of unions and quotas for various racial groups on such businesses, which already spend enormous resources to keep up with a nebulous array of government regulation. This, combined with COVID-19 lockdowns at the state and local levels, a forthcoming increase in federal minimum wage to \$15/hour, and other increases in regulation will choke out the last remaining breaths of American small business, leaving Americans at the mercy of large, multinational corporations.⁵

d) **Permanent deprivation of suffrage rights and the right to a republican form of government.** The “For the People Act” abrogates the federal Election Integrity Safeguard of HAVA and replaces it with inherently unsecure processes including: (1) ***nationwide voting by mail***,⁶ (2) abolishing the requirement to provide notarization or witness signature as a condition of obtaining or casting a ballot, (3) nationwide ballot harvesting by permitting voters to designate any other person to return their ballot, (4) federal takeover of redistricting from state legislatures, (5) allowing convicted felons to vote, (6) mandatory allowance for early voting, (7) internet-only registration with electronic signature submission, (8) banning requirement for submission of

⁵ Exhibit 2 to Motion

⁶ Compare with Complaint, ¶¶ 29–30.

Social Security Numbers for voter registration, (9) lowering the voting age to 16, and (10) nationwide same-day voter registration.⁷

- e) **Dramatic changes to gun control policy.**⁸ (1) banning semiautomatic rifles with a buyback program, (2) embracing “red flag laws,” (3) universal federal gun registry, (4) litigation campaign to put gun manufacturers and dealers out of business.
- f) **Other dramatic departures from existing law and policy in congressional agenda.**⁹ (1) abrogation of filibuster and “Byrd Rule” to allow mere 51% majority to pass legislation, (2) some version of the “Green New Deal,” (3) sweeping gun control legislation, (4) packing the Supreme Court, (5) statehood for D.C., (5) legal discrimination against Christians in the “Equality Act.”

⁷ See H.R.1 (“For the People Act of 2021”), available at <https://www.congress.gov/bill/117th-congress/house-bill/1/text?q=%7B%22search%22%3A%5B%22hr1%22%5D%7D&r=1&s=2;>; Ronald Brownstein, *The Decision That Will Define Democrats for a Decade: Will they get rid of the filibuster if it means passing their voting-rights and election-reform agenda?* THE ATLANTIC (Jan. 28, 2021); ; Mark Tapscott, *Critics Warn Democrats’ HR1 Is ‘Attack on American Liberties’*, THE EPOCH TIMES (Jan. 27, 2021), available at www.theepochtimes.com.

⁸ Jon Michael Raasch, *Garland says DOJ would ‘advance’ Biden’s pro-gun control policies*, Fox News (Feb. 23, 2021), available at www.foxnews.com; Matthew Vadum, *Biden Brings Aggressive Gun Control Plans, Where Trump Supported 2nd Amendment*, The Epoch Times, (Feb. 23, 2021).

⁹ See Dave Hoppe, *Democrats Flirt with Destroying Another Senate Guardrail*, NATIONAL REVIEW (Feb. 15, 2021) available at <https://www.msn.com/en-us/news/politics/democrats-flirt-with-destroying-another-senate-guardrail/ar-BB1dH5T7> (The “Byrd Rule,” similar to the filibuster, “limits the ability of the majority to stuff extraneous legislative goodies into budget-related proposals and pass them with a simple-majority vote under that process.”); Juana Summer, *Progressives Gear Up For Broad New Push On Climate Action*, NPR (Jan. 13, 2021), Zoe Tillman, *Biden Was Against Packing The Supreme Court. A New Progressive Group Wants To Change His Mind*, BUZZFEED (Jan. 27, 2021), available www.buzzfeednews.com; Jennifer Mascia, *What Senate Democrats Say They Can (Maybe) Get Done on Gun Reform*, The Trace (Feb. 10, 2021), available at www.thetrace.org; Robinson Meyer, *The Weekly Planet: The Great Climate Bill of 2021 Is Being Shaped Now*, THE ATLANTIC (Feb. 24, 2021); Nora Caplan-Bricker, *Is D.C. Finally on the Brink of Statehood?* THE WASHINGTON POST Magazine (Jan. 27, 2021), available at <https://www.washingtonpost.com/magazine/>; Jennifer Wishon, *Equality Act Expected to Advance in Congress This Week: ‘It Treats People of Faith as Second-Class Citizens’* CBNNEWS (Feb. 22, 2021), available at www1.cbn.com/cbnnews/;

— THE EPOCH TIMES —

JAN. 20–JAN. 26

Biden's First Week in Office

Actions taken by Biden and his administration following his Jan. 20 inauguration

EXECUTIVE ACTIONS RELATED TO CCP VIRUS SIGNED

During his first two days in office, President Joe Biden signed a slew of actions. One order created a directorate of the National Security Council dedicated to global health security and biodefense. Another directed the creation of a CCP virus testing board tasked with ramping up the volume of tests nationwide. Biden also signed an executive order calling for the enforcement of more stringent worker-protection standards for "essential" workers. A separate order directed the creation of a COVID "equity" taskforce, which Biden tasked with addressing "vaccine hesitancy" and battling disinformation.

KEystone XL PIPELINE PERMIT REVOKED

The Keystone XL pipeline's construction was halted after Biden revoked the construction project's permit. Keystone XL President Richard Prior said more than 1,000 jobs would be eliminated in the coming weeks. Biden's move was praised by environmental groups.

PARIS CLIMATE ACCORDS REJOINED

Biden on Jan. 20 signed an executive order for the United States to rejoin the 2015 Paris Agreement. Rejoining the global pact as it now stands will have devastating economic consequences for the United States, with little actual environmental benefit, according to economic experts.

\$4 BILLION PROMISED TO CENTRAL AMERICA: MEXICAN PRESIDENT

According to Mexican President Andrés Manuel López Obrador, Biden said that the United States would send \$4 billion for development to Guatemala, Honduras, and El Salvador to stem migration from Central America to Mexico.

'REMOVALS FOR CERTAIN NONCITIZENS' PAUSED FOR 100 DAYS

The Department of Homeland Security announced that it would "pause removals for certain noncitizens ordered deported to ensure we have a fair and effective immigration enforcement system focused on protecting national security, border security, and public safety."

'REMAIN IN MEXICO' POLICY DISCONTINUED

The Department of Homeland Security has said that the agency will "cease adding individuals into the program" under the Migrant Protection Protocol, also known as the "Remain in Mexico" program. The program, launched in January 2019, requires that asylum-seekers wait in Mexico while their asylum cases are adjudicated. Prior to its implementation, tens of thousands of illegal immigrants were released into the United States and told to wait for their cases to come up. Most failed to appear in court.

DESIGNATION OF HOUTHIS AS TERRORISTS REEXAMINED

The Biden administration is reviewing the designation of the Houthis as a terrorist group, which was made late in former President Donald Trump's term. "The State Department has initiated a review of Ansarullah's terrorist designations," a spokesperson told news outlets. "We will not publicly discuss or comment on internal deliberations regarding that review."

BIDEN: TRAJECTORY OF PANDEMIC IN COMING MONTHS CAN'T BE CHANGED

Biden said on Jan. 22 in a speech at the White House that "there's nothing we can do to change the trajectory of the pandemic in the next several months."



FEDERAL ABORTION LAW TO BE CODIFIED

The White House announced that the Biden administration would codify *Roe v. Wade*, which would allow for legal abortions even in the event that the Supreme Court overturns the 1973 ruling. "The Biden-Harris Administration is committed to codifying *Roe v. Wade* and appointing judges that respect foundational precedents like *Roe*," reads the statement.

NEW OIL AND NATURAL GAS LEASES PAUSED FOR 60 DAYS

Biden's administration put in place a 60-day pause that strips the Interior Department agencies and bureaus from issuing oil and natural gas drilling leases or permits on federal lands and waters. Officials in New Mexico have expressed alarm over the pause, saying the industry is tied to spending on education and other programs in the state.

TRAVEL FROM EUROPE, BRAZIL, SOUTH AFRICA BANNED OVER PANDEMIC

The Biden administration on Jan. 25 said it would reimpose travel restrictions on European nations while also banning travel from Brazil and South Africa over concerns about the CCP virus. White House press secretary Jen Psaki said, "We see faster-spreading variants emerging across the world."

'WHOLE-OF-GOVERNMENT EQUITY AGENDA' ADOPTED

Biden on Jan. 20 signed an executive order saying that it is "the policy of my Administration that the Federal Government should pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality." Among other things, the order assigns the heads of federal agencies to "study methods for assessing whether agency policies and actions create or exacerbate barriers to full and equal participation by all eligible individuals."

BORDER WALL CONSTRUCTION STOPPED

Biden, in an executive order, terminated a Feb. 15, 2019, executive order by Trump that declared a national emergency concerning the southern border. The new order also pulls out all funding for the construction of a border wall and places a pause on all construction projects there. Biden also ordered an "assessment of the legality of the funding and contracting methods."

DEFERRED ENFORCED DEPARTURE FOR LIBERIANS IS REINSTATED

Biden signed a memorandum to reinstate temporary protected status and work authorization for Liberians granted refuge in America before 2007.

DACA 'PRESERVED AND FORTIFIED'

Biden signed a memorandum that directs the departments of Homeland Security and Justice to preserve and fortify the Deferred Action for Childhood Arrivals (DACA) program. The Obama-era program shields some illegal immigrants from deportation and helps them with papers that can enable them to get jobs and carry out other societal functions. The Trump administration sought to end the program but was blocked by the Supreme Court.

MASKS ON DOMESTIC TRANSPORTATION, TESTS FOR INTERNATIONAL TRAVELERS REQUIRED

Biden signed an executive order requiring that masks be worn in airports, commercial aircraft, trains, ferries, buses, and other forms of transportation. The order also requires travelers from foreign countries to "produce proof of a recent negative COVID-19 test prior to entry" as well as "self-quarantine or self-isolation after entry into the United States."

\$15 MINIMUM WAGE PROMOTED FOR FEDERAL EMPLOYEES

Biden signed an executive order that requires the director of the Office of Personnel Management to provide a report "with recommendations to promote a \$15/hour minimum wage for Federal employees."

BAN ON TRANSGENDER MILITARY SERVICE LIFTED

Biden on Jan. 25 reversed a Trump executive order that barred transgender people from serving in the military. Trump announced the ban in a series of 2017 tweets that reversed previous Obama administration policies on transgender people serving in the military, citing the costs required.

DNI TASKED WITH ASSESSING 'DOMESTIC EXTREMISM'

Biden tasked the incoming director of national intelligence to assess domestic violent extremism. Director Avril Haines will work with the FBI and the Department of Homeland Security on an assessment that will draw on analysis from across the government and, as appropriate, nongovernmental organizations, according to the White House.

CENSUS BUREAU REQUIRED TO INCLUDE ILLEGAL IMMIGRANTS IN APPORTIONMENT

On his first day in office, Biden issued an executive order mandating that the Census Bureau include illegal immigrants in its apportionment. Trump sought to exclude aliens. Apportionment is how the number of U.S. representatives is set; states with a higher population get more. Excluding illegal immigrants stoked fears that several states would lose seats, including California.

EXECUTIVE ORDER ON 'CLIMATE CRISIS' SIGNED

Biden signed an order stating that the federal government "must advance environmental justice." The order directs all federal agencies to review federal regulations and other actions taken by the Trump administration that they deem to be in "conflict with these important national objectives, and to immediately commence work to confront the climate crisis."

MORATORIUMS ON EVICTIONS AND FORECLOSURES EXTENDED

In response to a request from Biden, the Department of Agriculture extended eviction and foreclosure moratoriums through March 31, 2021. The acting secretary of education, at Biden's request, paused federal student loan payments and collections and maintained the interest rate at zero percent.

EXECUTIVE ORDER AGAINST 'SEX DISCRIMINATION' SIGNED

Biden signed an executive order stating that "all persons should receive equal treatment under the law, no matter their gender identity or sexual orientation." He furthermore ordered the head of each federal agency to "consider whether to revise, suspend, or rescind such agency actions, or promulgate new agency actions, as necessary to fully implement statutes that prohibit sex discrimination."

ACTION ON 'MODERNIZING' REGULATORY PROCESS SIGNED

Biden signed an action that states it seeks to improve and modernize regulatory review. The criteria specify that the review should promote, among other things, "social welfare, racial justice, environmental stewardship." It says that the regulatory review should serve "as a tool to affirmatively promote regulations that advance these values."

EXECUTIVE ORDER TIGHTENING FEDERAL PROCUREMENT RULES SIGNED

Biden signed an executive order that seeks to increase purchases of products made in the United States, chiefly by tightening rules around federal procurement and giving the government a bigger role in supporting U.S. businesses. The order also raises the price preference for domestic goods in government procurement.

FREEZE ON NEW REGULATIONS ORDERED

White House chief of staff Ron Klain ordered a freeze on federal regulations in his first official act on Jan. 20, putting the brakes on any new and pending rules until they can be reviewed by Biden appointees. Biden's transition team said the measure was a way to halt any last-minute regulations rushed by the Trump administration.

ANTI-TERRORISM TRAVEL BAN REVOKED

Biden rescinded Trump's travel ban on nations with individuals posing a terrorist threat to the United States. In a proclamation titled "Ending Discriminatory Bans on Entry to the United States," Biden revoked a series of executive orders and proclamations that Trump signed between 2017 and 2020.

MASKS MANDATED IN FEDERAL BUILDINGS, ON FEDERAL LAND

Biden signed an executive order on this first day in office mandating that people wear masks in federal buildings and on federal lands. Heads of agencies should immediately move to require compliance, the order states. Hours later, Biden went without a mask while at the Lincoln Memorial in Washington; White House press secretary Jen Psaki said this was because he "was celebrating."

TRUMP EXECUTIVE ORDER TO LOWER INSULIN, EPIPHRINE PRICES SUSPENDED

Biden's Health and Human Services froze the former Trump administration's drug rule that allowed community health centers to pass on all their insulin and epinephrine savings to patients. The move, according to White House chief of staff Ron Klain, is part of its effort to scrutinize Trump's health policies and other executive orders.

TRUMP IMMIGRATION ENFORCEMENT ORDER REVOKED

Biden signed an executive order to reverse Trump's immigration enforcement order and "reset the policies and practices" to align enforcement with the Biden administration's "values and priorities." Part of the new order involves revoking Trump's Executive Order 13768, signed in 2017, which withheld federal funding from so-called "sanctuary cities" that did not cooperate with federal immigration authorities.

TRUMP DEREGULATION EXECUTIVE ORDERS REVOKED

Biden signed an executive order revoking a slew of executive orders on deregulation. In two Jan. 20 executive orders, Biden nixed about a dozen orders of Trump's that pertained to regulatory reform, including one on "Reducing Regulation and Controlling Regulatory Costs" and one on "Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects."

WHITE HOUSE COVID-19 COORDINATOR POSITION CREATED

Biden signed an executive order creating the position of White House coordinator of the CCP virus response. The position will be filled by former Obama administration official and transition co-chair Jeff Zients. In the Trump administration, Vice President Mike Pence played the same role. "The COVID-19 Response Coordinator shall report directly to the President," the order states.

EXECUTIVE ORDER ON 'EQUITY' SIGNED

Biden signed an executive order directing the federal government to "pursue a comprehensive approach to advancing equity for all." The order tasks the Office of Management and Budget to find ways "to assist agencies in assessing equity with respect to race, ethnicity, religion, income, geography, gender identity, sexual orientation, and disability."

'MEXICO CITY POLICY' TO BE REVOKED

President Joe Biden will roll back a Trump administration policy that bars taxpayers' dollars from going to foreign nongovernmental organizations that perform or actively promote abortion, Dr. Anthony Fauci, chief medical adviser to Biden, said on Jan. 21. "President Biden will be revoking the Mexico City Policy in the coming days."

FBI DIRECTOR CHRISTOPHER WRAY RETAINED

The White House confirmed on Jan. 21 that President Joe Biden would retain FBI Director Christopher Wray in his administration. "President Biden intends to keep FBI Director Wray on in his role and he has confidence in the job he is doing," White House press secretary Jen Psaki wrote on Twitter.



President Joe Biden prepares to sign a series of orders in the Oval Office on Jan. 20, 2021.

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